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DATE FILED: 9/30/09  
09 Civ. 5438 (VM)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
BRIGID BROWN,

Plaintiff,

- against -

HOLLYWOOD.COM LLC,

Defendant.  
-----X

VICTOR MARRERO, United States District Judge.

Counsel for defendant, on behalf of the parties, having notified the Court, by letter dated September 30, 2009, a copy of which is attached, that the parties have reached an agreement in principle to settle this action without further litigation, it is hereby

**ORDERED**, that this action be conditionally discontinued without prejudice and without costs; provided, however, that within thirty (30) days of the date of this Order, the parties may submit to the Court their own Stipulation of Dismissal for the Court to So Order. Otherwise, within such time counsel for plaintiff may apply by letter for restoration of the action to the active calendar of this Court in the event by the deadline indicated the settlement is not consummated. Upon such notification, the defendant shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket and the parties shall be directed to

appear before the Court, without the necessity of additional process, on a date within thirty days of the plaintiff's application for reinstatement, to schedule remaining pre-trial proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of the action with prejudice in the event plaintiff has not requested restoration of the case to the active calendar within such period of time.

Any further conferences with the Court scheduled in this action are canceled but shall be rescheduled as set forth above in the event plaintiff notifies the Court that the parties' settlement was not effectuated and that such conference is necessary to resume pretrial proceedings herein.

The Clerk of Court is directed to withdraw any pending motions and to close this case.

**SO ORDERED.**

Dated: NEW YORK, NEW YORK  
30 September 2009

A handwritten signature in black ink, appearing to read 'Victor Marrero', is written over a horizontal line.

VICTOR MARRERO  
U.S.D.J.

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September 30, 2009

**BY FACSIMILE (212) 805-6382**

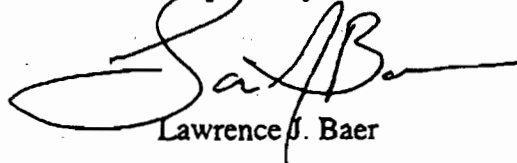
Honorable Victor Marrero  
United States District Judge  
United States Courthouse  
500 Pearl Street, Suite 660  
New York, New York 10007

Re: **Brown v. Hollywood.com LLC, 09-CV-5438 (VM)(AJP)**

Dear Judge Marrero:

We represent Hollywood.com LLC, Defendant in the above-referenced matter. We write on behalf of the parties, as directed by your law clerk during a telephone conversation today between the parties and the Court, to notify the Court that the parties have reached a settlement in principle of Plaintiff's claims, subject to the parties' entry into a mutually satisfactory written settlement agreement. Accordingly, Defendant does intend to file its answer with the Court, which otherwise would have been due today. Following the parties' prompt preparation and execution of the formal settlement documents, the parties will submit a stipulation and proposed order of dismissal, with prejudice, to the Court.

Respectfully,



Lawrence J. Baer

cc: Jason L. Solotaroff, Esq. (via facsimile)